

Serial No. 10/580,006

Amendment

Amendments to the Drawings:

The attached marked-up copy of the drawing sheet on which Fig. 8 is the only drawing figure includes the label "Annotated Sheet" and an annotation showing that the drawing has been cancelled.

Attachment: Annotated Sheet

REMARKS

In objecting to the drawings on the ground that one of the figures is designated "Fig. 0" and that Fig. 0 is a duplicate of Fig. 7, it appears that the Examiner is looking at the drawings that are a part of the PCT application as filed, rather than the separate drawing sheets containing Figs. 1-8 that were submitted with the application. In the drawing sheets that were filed with the application, there is no Fig. 0. Nevertheless, even in the separate drawing sheets that were filed with the application, it appears that Fig. 8 is a duplicate of Fig. 1. Therefore, a marked-up copy of the drawing sheet on which Fig. 8 is the only drawing figure is submitted herewith, the marked-up copy including the label "Annotated Sheet" and an annotation showing that the drawing has been cancelled. Furthermore, it appears that the brief descriptions of the drawing figures and some references to the drawings in the specification do not match the drawing figures to which they refer. Therefore, the brief descriptions of the drawing figures and the references to the drawings have been amended to match the drawing figures to which they refer.

The Examiner objects to the title of the invention, because the title recites the term "ROOFWINDOW" twice. Although there appears to be no authority prohibiting reciting twice a term in a title, the title has been amended to "ROOFWINDOW HAVING DRAINAGE SYSTEM". The claims are directed to a roofwindow.

Lines 2-4 on page 3 of the specification have been amended.

The claims have been amended to overcome the Examiner's objections to the claims and rejections under 35 USC 112. The phrase in claim 15 that the top surface can be inwardly inclined down has been deleted and presented definitely in new claim 18.

Reconsideration of the rejection of claims 10 and 13-17 under 35 USC 103 as being unpatentable over Nielsen in view of Kaminaga et al. and further in view of the Japanese '793 patent is respectfully requested. In view of the changes made to the claims by the present Amendment, as described above, it is believed to be clearer that none of the claims are obvious from the references. More specifically, claim 10, as amended, recites that the window frame has an inner surface adjacent to the sash frame, the sash frame has an outer surface adjacent to the window frame, the drainage groove of the window frame has a concave surface extending along the inner surface of the window frame and includes a flange protruding from the inner surface of the window frame, and wherein the drainage groove of the sash frame has a concave surface extending along the outer surface of the sash frame.

It can be seen from Fig. 4 of the present application, for example, that the inner surface of the window frame that is adjacent to the sash frame generally faces the sash frame and that the outer surface of the sash frame that is adjacent to the window frame generally faces the window frame (and faces away from the window pane), and that the cavity 500 is between those two surfaces. As is recited in claim 10, the drainage groove 121 of the window frame has a concave surface extending along the inner surface of the window frame, and the drainage groove 221 (Fig. 3) of the sash frame has a concave surface extending along the outer surface of the sash frame. In contrast, in the Nielsen reference, the inner surface of the window frame and the outer surface of the sash frame that are adjacent one another are adjacent one another at the area shown, for example, in Fig. 2 where the numeral "15a" appears (not where the lead line from "15a" leads). In the area where 15a appears, there are no drainage grooves, much less drainage grooves having concave surfaces extending along the surfaces of the frame and sash.

In addition, the changes to claim 10 include changing the drainage grooves from being “placed in” the window frame and sash frame to being “formed in” the window frame and sash frame. This can be seen in many of the drawing figures of the present application. In contrast, the drainage channels of Nielsen that are disclosed are not formed in the window frame members or the sash frame members, but rather are formed in separate sealing profiles 8 that are attached to the lateral members 2a of the sash.

Accordingly, Nielsen does not disclose all of the features of claim 10, as amended, and neither do Kaminaga et al. nor the Japanese reference. Furthermore, the features of claim 10 that are absent from these references are not obvious from them. From the Nielsen reference, the person skilled in the art would be taught that water should be kept away from the material of the sash. Thus, one of ordinary skill would be taught by the Nielsen reference not to form a drainage groove in the sash or frame, but rather to add a separate member serving as the groove. Furthermore, from the Kaminaga et al. reference, one of ordinary skill would learn that two frame parts of a curtain wall could be interconnected by means of flanges meshing with each other and forming a system of grooves. By this the person of ordinary skill would be led away from the present invention in two ways: 1) the Kaminaga et al. reference would confirm to the skilled person that the groove has to be formed in a separate waterproof element (F2), which keeps the water away from the actual panel; and 2) the skilled person would see that only the lower of the two mutually connected frames has a drainage groove, while the flanges on the upper frame serve as abutment surfaces for the flanges of the lower frame and direct possible condensation into the groove in the lower frame.

In view of the foregoing, it is submitted that claim 10 is allowable and that the claims that depend from claim 10 are allowable with it.

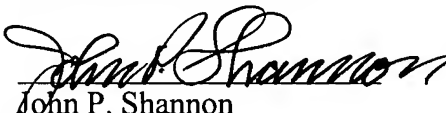
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Also by the present amendment, new claims 19-25 are submitted that are the same as claims 10 and 13-18, respectively, except that the drainage grooves are recited as being "defined by" rather than "formed in" the window frame and the sash frame. Drainage grooves "defined by" the window frame and the sash frame are not disclosed in the references, and claims 19-25 are allowable for the same reasons that 10 and 13-18 are allowable.

In view of the foregoing, it is submitted that all of the claims are allowable and that the application is in condition for allowance. An early notice to that effect is respectfully requested.

Respectfully submitted,

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